

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

EDUARDO LOPEZ,  
PLAINTIFF,

v.

MICHAEL MALONEY, EDWARD  
FICCO, AND MARK REILLY  
DEFENDANTS,

FILED  
2005 APR -7 P 2:07

DISTRICT COURT  
DISTRICT OF MASS.

CIVIL ACTION NO. 04-10208-JLT

MOTION TO ENLARGE TIME FOR  
FILING AN ANSWER IN OPPOSITION  
TO DEFENDANTS MOTION TO DISMISS

Now come the Plaintiff, Eduardo Lopez, Pro se, respectfully moves this Honorable Court, pursuant to Fed.R.Civ.P. 6(b)(1) to enlarge the time to May 15, 2005, for filing an answer in opposition to defendants motion to dismiss.

In support of this motion the Plaintiff avers and states as follows:

1. The Plaintiff was confined in Soaza-Baranowski Correction Center Shirley MA 01464;
2. On or about February 3, 2005, the Plaintiff was then transferred to Old Colony Correction Center, at One Administration Road Bridgewater MA 02324;
3. On or about January 28, 2005, the Defendants filed a motion to dismiss Plaintiff complaint and a memorandum of law in support;
4. The Plaintiff state that he never received defendants motion;

5. On or about March 28 2005, the Plaintiff received an order from this Honorable Court to respond to Defendants motion to dismiss by April 15, 2005, along with a copy of the motion and the memorandum of law in support;

6. The Plaintiff has raised constitution claims and the issue in this case are complex;

7. The prison limits the hours that the Plaintiff may access to the Law Library, and the Law materials contained there are very limited;

8. Plaintiff has a very limited knowledge of the Law.

WHEREFORE, the Plaintiff respectfully request that the time for filing an answer to Defendants motion to dismiss be enlarge to May 15, 2005.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY ON THIS 4<sup>th</sup> DAYS OF APRIL 2005

Dated:

Respectfully Submitted

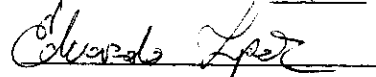


Eduardo Lopez, Pro se  
One Administration Road  
Bridgewater MA 02324

#### CERTIFICATE OF SERVICE

I, Eduardo Lopez, state under the pains and penalties of perjury that I have served a true copy of the plaintiff's motion to enlarge time for filing an answer in opposition to defendants motion to dismiss to: Julie E. Daniele, Legal Division Department of Correction 70 Franklin Street, Suite 600 Boston, MA 02110-1300

SIDGED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 4<sup>th</sup> DAYS OF APRIL 2005



Eduardo Lopez